

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In Reply Refer To: 3HW12

NOV 16 1988

Mr. Thomas J. Kenna
General Manager
Americold
Iron Run Industrial Park
250 Mill Road
P.O. Box 340
Fogelsville, PA 18051

Re: Novak Sanitary Landfill Site
Lehigh County, Pennsylvania

Dear Mr. Kenna:

This letter is written as a response to your letter of October 20, 1987 (copy enclosed) and requests additional information concerning your company's involvement with Novak Sanitary Landfill, Inc.; Valley Disposal and Recycling, Inc.; Valley Disposal; Valley Recycling; LCN Corp.; Novak Landfill and Recycling, Inc.; Novak Landfill Corp. or Novak Sanitation Services, Inc. EPA records indicate that your company used the services of one or more of the above-mentioned companies to transport or dispose of wastes generated by your company. EPA now requests that you respond within thirty (30) days of your receipt of this letter to the questions listed on page two.

As you know, the EPA is seeking information concerning the release, or the threat of a release, of hazardous substances into the environment from the Novak Sanitary Landfill Site. Pursuant to the authority of, Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. Section 9604(e), as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA"), public law 99-499, 100 Stat. 1613, your company is again requested to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its officers, employees or agents which concern, refer or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14) which were transported to, or stored, or disposed of at the Novak Sanitary Landfill Site in South Whitehall Township, Lehigh County, Pennsylvania.

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EPA currently has information indicating that the owner of the Novak Sanitary Landfill also operated a waste hauling business under the names listed in the first paragraph of this letter. Records maintained at the landfill office indicate that wastes hauled by these companies were disposed at the Novak Sanitary Landfill. Your previous response to EPA's request for information contained no information on the types of waste disposed or transported by companies listed in this letter.

EPA has determined that your response to its previous information request letter was inadequate or incomplete. EPA now requests that you further respond to this information request within thirty (30) days of your receipt of this letter and supply all information and documentation concerning:

1. the types of wastes disposed by Americold or Lehigh Valley Refrigerated service since 1976;
2. the time period your company contracted with the companies listed in the first paragraph of this letter for the transportation or disposal of wastes from your company; and,
3. the volume of wastes from your company transported or disposed by Valley Disposal, Novak Landfill or any company listed in the first paragraph of this letter.

EPA also requests that, if responses to the above questions can not be documented your company identify and interview knowledgeable company representatives who can provide complete information. The company representative should be identified in your response and their information must be submitted to EPA as an affidavit.

You are entitled to assert a claim of business confidentiality covering any part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

Please send the required information to:

Michael Towle, Remedial Enforcement Officer
U.S. Environmental Protection Agency
PA, CERCLA Remedial Enforcement Section (3BW12)
841 Chestnut Street, 6th Floor
Philadelphia, Pennsylvania 19107

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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If you have any questions concerning this matter, please contact Michael Towle at (215) 597-3166; any legal questions should be directed to Joseph Donovan, esq. at (215) 597-0427.

Sincerely,

NOV 16 1988

Gregg Crystall, Chief
PA CERCLA Remedial Enforcement
Section

Enclosures

204559

CONCURRENCES

SYMBOL	314412							
SURNAME	Towle							
DATE	11/16/88							

P 770 584 729

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Mr. Thomas J. Kenha
General Manager
Street and No. Americold

P.O., State and ZIP Code
Iron Run Ind. Park

Postage 250 Mill Rd.

Certified Fee P.O. Box 340
Fogelsville, PA 18051

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing
to whom and Date Delivered

Return Receipt showing to whom,
Date, and Address of Delivery

TOTAL Postage and Fees \$

Postmark or Date
NOV 16 1985
204560

PS Form 3800, June 1985

